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ACT 123

AN ACT

TO APPROPRIATE EIGHTEEN HUNDRED AND TWENTY-FIVE DOLLARS (\$1,825.00) FOR THE REIMBURSEMENT OF CERTAIN MONEYS IMPROPERLY COLLECTED AS NOMINATION FEES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of eighteen hundred and twenty-five dollars (\$1,825.00) is hereby appropriated out of the general revenues of the Territory and to be immediately available to reimburse amounts improperly collected by the Secretary of the Territory, as nomination fees of candidates for the Legislature and for the office of Delegate to Congress at the general election of 1914, to all such persons, or their executors or administrators, as the case may be, who so paid such moneys and who shall file with said secretary a claim for reimbursement within three months after the approval of this Act.

SECTION 2. Upon being satisfied of the verity of such claims, it shall be the duty of the Secretary of the Territory to approve the same and to transmit such approved claims to the auditor, who shall thereupon issue warrants to the persons so entitled to such reimbursement for the respective amounts so paid.

SECTION 3. This Act shall take effect upon its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 124

AN ACT

TO PUNISH THE MISREPRESENTATION OF MERCHANDISE, SHARES OF STOCK, BONDS, MORTGAGES, NOTES, CO-PARTNERSHIP UNITS AND SERVICE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. If any person, firm, corporation or association, or any employee thereof, in a newspaper, circular, form letter or other publication published, distributed or circulated in this Territory, or on any bill board, sign, card, label or other advertising medium displayed on, in or near a street, electric car, automobile, auto-truck, wagon, carriage, motorcycle, bicycle, show-case, store or other place in this Territory, knowingly makes or disseminates, or causes to be made or disseminated, any statement or assertion of fact concerning the quantity, the quality, the method of production or manufacture, the cost of production, the cost to the advertiser or vendor, the present or former price, present or prospective value or the former, present or prospective earning power, or the reason for the price of such merchandise, shares of stock, bonds, mortgages, notes, copartnership units or service offered for sale or advertised by such person, firm, corporation or association, or concerning the manner or source of production or purchase, or the possession or rewards, prizes or distinctions conferred on account of the purchase or possession of such merchandise, shares of stock, bonds, mortgages, notes, copartnership units or service, which statement or assertion has the appearance of an offer advantageous to the purchaser, and is untrue or calculated to mislead, the person or corporation or firm, or the member or members of a firm, or directors of a corporation, or directors or trustees of an association, causing such statement or assertion to be made or disseminated, also the employee or agent making or disseminating such statement or assertion, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00), or imprisonment for not more than one year, or both such fine and imprisonment, for each and every offense.

SECTION 2. This Act shall take effect and be in force from the date of its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 125

AN ACT

TO REIMBURSE CERTAIN LABORERS AND MATERIALMEN FOR LABOR AND MATERIAL FURNISHED AND USED IN THE CONSTRUCTION OF NEW BUILDINGS AT THE BOYS' INDUSTRIAL SCHOOL AT WAIALEE, OAHU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There is hereby appropriated out of any moneys in the treasury not otherwise appropriated the sum of five thousand five hundred and two and 14/100 dollars (\$5,502.14), or so much thereof as may be necessary to reimburse the laborers

and materialmen who furnished labor and material used in the construction of new buildings at the Boys' Industrial School at Waialee, Oahu, during the year 1912, and whose claims have not been paid.

SECTION 2. No portion of such sum shall be paid to any claimant, until he shall satisfy the superintendent of public works, that the labor or material for which such claim is made, was actually used in the construction of the buildings aforesaid and that the same has not been paid, and until such claimant shall execute and deliver to the superintendent of public works a good and sufficient legal assignment to the Territory of Hawaii of his claim for the sum so paid, against the person, firm or corporation primarily responsible therefor.

SECTION 3. This Act shall take effect upon its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 126

AN ACT

TO APPROPRIATE MONEY FOR THE RELIEF OF LEE CHAU AND JAN YE CHONG.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the sum of one hundred forty-three and 50/100 dollars (\$143.50) is hereby appropriated for the relief of Lee Chan and Jan Ye Chong of Hilo, Island of Hawaii, Territory of Hawaii, to be paid out of any moneys in the treasury received from current revenue of the Territory, the same to constitute reimbursement to them of part of the amount of rent heretofore paid by them to the Territory of Hawaii, for that certain piece or parcel of land situate on Volcano Street, in the City of Hilo, County of Hawaii, said piece or parcel of land having been conveyed by the Territory of Hawaii to T. A. Dranga.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 127

AN ACT

TO AMEND CHAPTER 91 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO BANK EXAMINERS, BY ADDING TWO NEW SECTIONS THERETO TO BE KNOWN AS SECTIONS 1198A AND 1198B.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 1198A, as follows:

"Section 1198A. Receiver; application for, appointment, duties. If the bank examiner shall become satisfied that the capital of any bank has become impaired or reduced below the amount required by law, and such impairment or reduction shall not have been made good as by him required, or if the examiner shall have become satisfied that any bank is conducting its business in an unsafe or unauthorized manner so that the continuance of its business would be hazardous to the public, or to those having funds in its control, or if any bank has violated any of the provisions of this chapter or of any other law relating thereto, or if any bank shall refuse to submit its books and papers and concerns to the inspection of the bank examiner, or his deputy, or if any officer of such bank shall unreasonably delay or refuse to be examined under oath, touching the affairs and condition of the bank, or if from any examination made, or report in this chapter provided for, the bank examiner shall conclude that such bank is in an unsound or unsafe condition to transact the banking business so that it is unsafe and inexpedient to continue the same, the bank examiner shall communicate such facts to the governor, and with his concurrence, application may be made by the attorney general, on behalf of the bank examiner, to a judge or court of competent jurisdiction for the appointment of a receiver of such bank. Upon presentation of such application and upon its being made to appear that any of the facts herein enumerated, as a ground for the application for a receiver exists, the said court or judge shall immediately appoint a competent person as receiver and shall determine his bond and prescribe his duties and may make such further order as shall seem proper; provided, that pending such action, it shall be the duty of the bank examiner immediately to take such control of such bank and all the property and effects thereof as may be necessary to prevent waste or diversion of assets, and to hold possession of the same pending said action; and such property and effects, while in his possession, shall not be subject to any levies and attachments. The receiver, if any be appointed, shall, under the direction of the

court, take possession of the books, records and assets of every description of such bank, collect all debts, dues and claims belonging to it and sell or compound all bad or doubtful assets, and sell all the real and personal property of such bank on such terms as the court shall direct, and may, if necessary to pay the debts of such bank, enforce all individual liabilities of stockholders, and shall make a report to the court and bank examiner of all his acts and proceedings.

The compensation of such receiver, which shall be not more than fifteen dollars (\$15.00) per day shall be fixed by the court and shall, together with the expenses of the receivership, be paid out of the assets of the bank or the moneys collected by such receiver."

SECTION 2. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 1198B, as follows:

"Section 1198B. Reorganization. Whenever arrangements shall be made by any such bank or the stockholders thereof, if any, by organization or otherwise, to the satisfaction of the bank examiner to pay all creditors thereto, aside from the stockholders, and to make good the impairment of the capital stock in all particulars and to pay the expenses of the receivership, if any have accrued, such facts may be presented to the court and the court may order the property to be turned over to the bank or to such stockholders and shall in such case discharge the receiver, if any had been appointed."

SECTION 3. This Act shall take effect upon its approval.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 128

AN ACT

MAKING AN APPROPRIATION BY WAY OF ADVANCEMENT OUT OF GENERAL REVENUES FOR THE CONSTRUCTION OF STREETS IN THE AŌWAIOLIMU TRACT, HONOLULU, TO BE REIMBURSED OUT OF THE PROCEEDS OF THE SALES OF LOTS IN SAID TRACT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of forty-one thousand dollars (\$41,000.00), or so much thereof as may be necessary, is hereby appropriated out of the general revenues for use, in addition to any amount now available for the purpose from the proceeds of sales of lots in said tract under the provisions of Sections 374 and 375 of the Revised Laws of Hawaii of 1915, in the construction of streets in the AŌwaiolimu Tract, Honolulu, the amount expended hereunder to be deemed an advancement out of the general revenues to the fund provided for in said Act and to be reimbursed to the general revenues out of the proceeds of sales of such lots when hereafter received.

SECTION 2. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 129

AN ACT

APPROPRIATING ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) FOR THE ACQUISITION OF LAND FOR, AND FOR THE CONSTRUCTION OF, A HOMESTEAD ROAD THROUGH THE KUKUIOPAE AND OLELOMOANA-OPIHIAHI HOMESTEAD TRACTS, IN THE DISTRICT OF SOUTH KONA, COUNTY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of one thousand five hundred dollars (\$1,500.00) is hereby appropriated to be paid out of the balance of the fund available for homestead roads, Hawaii, for the purpose of relocating and constructing a homestead road or roads through the lots of the Kukuiopae and Olelomoana-Opihihi Homestead Tracts, in the District of South Kona, County of Hawaii, to connect said lots with the main road, and for the purpose of acquiring such private land as may be necessary, for such road, the location of such road to be selected by the superintendent of public works, and the construction thereof to be pursuant to the conditions of Section 374 of the Revised Laws of Hawaii, 1915.

SECTION 2. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.